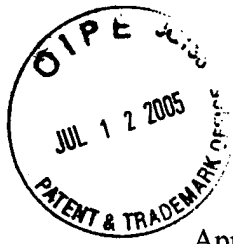


DAE
2832
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No.)	09/527,410
Applicant)	BING LIN YANG
Filed	)	March 16, 2000
Title	)	SURGE ABSORBER WITHOUT CHIPS
Grp. Art Unit	)	2832
Examiner	)	Karl Easthom
Confm. No.	)	1559

PETITION TO WITHDRAW HOLDING OF ABANDONMENT
UNDER 37 C.F.R. § 1.181

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sirs:

In response to the Notice of Abandonment dated May 27, 2005, Applicant submits this Petition to Withdraw Holding of Abandonment under 37 C.F.R. §1.181.

Consideration hereof and withdrawal of the holding of abandonment are respectfully requested.

I hereby certify that this correspondence is being deposited with The United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on	
<u>July 6, 2005</u> (Date of Deposit)	
<u>Jennifer Lepage</u> (Name of Person Mailing Paper)	
<u>J. Lepage</u> Signature	<u>7/6/05</u> Date

REMARKS

In a Notice of Abandonment dated May 27, 2005 the present application is indicated as being abandoned for failure to timely file a proper reply to the Office Action mailed on October 14, 2004.

Applicant respectfully submits that a proper Reply, along the required Petition for Extension of Time, the requisite fee, and a stamped itemized postcard were indeed timely filed in the USPTO on April 14, 2005 in response to the outstanding Office Action. Thus the holding of abandonment is improper and may not be maintained. In this regard, Applicant respectfully submits evidencing materials as Attachments 1-4.

Attachment 1: Attached is a copy of the papers filed on April 14, 2005: (1) Reply to Non-Final Office Action Under 37 C.F.R. §1.111, with Amendment; (2) Petition for Extension of Time; and (3) Itemized return postcard (never returned to Applicant). A certification of mailing appears on both the Reply and the Petition and states the date of deposit as April 14, 2005 in compliance with 37 C.F.R. 1.8.

Attachment 2: Since the return postcard has not been returned, Attachment 2 includes a statement of Daniel Drexler stating that he signed the certificates of mailing dated April 14, 2005 and deposited the Reply and all related papers in the outgoing mail, which is evidenced by a copy of the mail log for April 14, 2005 (Attachment 3).

Attachment 3: Attached is a copy of a page of Applicant's Attorney's mail log for April 14, 2005.

Attachment 4: A 'Statement of Substance of Interview' is provided to demonstrate that, in compliance with 37 C.F.R. §1.8(b)(1), Applicant promptly informed the Office of the previous mailing upon learning of the Office's non-receipt of the Reply. As set forth in the Statement, the undersigned informed the Examiner of the April 14th correspondence immediately upon learning that the Office did not receive the Reply.


The documentary evidence discussed herein and submitted herewith clearly establishes that Applicant timely filed the Reply and related papers on 14 April 2005 in response to the Office Action of 14 October 2004. Accordingly, Applicant herein petitions to withdrawal the holding of abandonment set forth in the Notice of Abandonment dated 27 May 2004.

This Petition is submitted within two months of the date of the Notice of Abandonment and thus is timely.

Pursuant to MPEP § 711.03(c)I, no fee is required for the present Petition. However if there are any charges due with respect to this Petition or otherwise, please charge them to Deposit Account No. 06-1130 maintained by Applicant's attorneys.

The Office is invited to contact Applicant's attorneys at the below-listed telephone number regarding this Petition or otherwise concerning the present application.

Respectfully submitted,

By: 
Daniel Drexler, Reg. No. 47,535
CANTOR COLBURN LLP
55 Griffin Road South
Bloomfield, CT 06002
Telephone: 860-286-2929
Customer No. 23413

Date: JULY 06-2005

ATTACHMENT 1

In Support of Applicant's Petition to Withdrawal Holding of Abandonment
Under 37 C.F.R. §1.181



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Appln. No.	)	09/527,410
Applicant	)	BING LIN YANG
Filed	)	March 16, 2000
Title	)	SURGE ABSORBER WITHOUT CHIPS
Grp. Art Unit	)	2832
Examiner	)	Karl Easthom
Confm. No.	)	1559

**REPLY TO NON-FINAL OFFICE ACTION
UNDER 37 C.F.R. §1.111, WITH AMENDMENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action of October 14, 2004, this Reply is respectfully submitted. Please enter and consider the following:

Remarks, beginning on page 2 of this paper.

I hereby certify that this correspondence is being deposited with The United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on	
<u>Apr. 14-2005</u>	
(Date of Deposit)	
<u>Daniel Drexler</u>	
(Name of Person Mailing Paper)	
<u>[Signature]</u>	<u>4-14-05</u>
Signature	Date

REMARKS

In an Office Action dated 14 October 2004, the Examiner rejects all pending claims 1-20 on various prior art grounds. Applicant respectfully disagrees with the Examiner's holding and submits in response that the claimed invention is not found in the relied-upon references taken singularly or in combination. Each of the respective prior art rejections are now addressed in turn.

Claims 1, 2, 5, 8, 9, 13, 15, 17, and 19 are rejected under 35 U.S.C. §102(b) as allegedly lacking novelty in view of U.S. Patent No. 3,289,027 to Jones. Claims 1 and 2 are independent and both recite a surge absorber without chips comprising, *inter alia*, lead terminals, with sealing spacers thereon, being adjustable within a cylindrical housing before being fixed airtightly thereto such that the distance between the discharge electrodes may be varied and set as desired. This limitation of claims 1 and 2 is simply not taught or even suggested by Jones. Thus the outstanding anticipation rejection is improper and must be withdrawn.

Jones teaches a voltage protector including two cup shaped metal end caps 1 and 2, an intermediate metal sleeve 3, two ceramic spacing cylinders 4 and 5, and two electrodes 10 and 11. Col. 1, lines 40-70 and Figure 1. The spacing cylinders 4 and 5 include inner ends fixed within the metal sleeve 3 at shoulders 9 and opposite ends which extend from the sleeve 3 and which are fixed at chamfered edges 8 of the respective end caps 1, 2. *Id.* The electrodes 10, 11 are fixed to the end caps 1, 2 and extend freely into and through the cylinders 4, 5 and into the sleeve 3. *Id.*

This configuration renders the Jones device *non-adjustable*. That is, in Jones: the electrodes 10, 11 are fixed to the end caps 1, 2; the end caps 1, 2 are fixed to the outer ends of the spacing cylinders 4, 5 at the chamfers 8; and the inner ends of the spacing cylinders 4, 5 are fixed to the sleeve 3 at the shoulders 9. Clearly, this configuration permits no adjustability of the cylinders nor of the resulting distance between the electrodes. Instead,

the Jones cylinders are rigidly fixed at the chamfers and shoulders and the distance between the electrodes is set and fixed as a function of the mounting of the electrodes, end caps, cylinders, and sleeve.

In this regard, the Examiner states in the Office Action, "The extent of penetration of the electrodes is limited by the chamfered caps as noted at col. 1, lines 55-65. This renders the distance as varied and set as desired up to that limit." Office Action, page 2 and 4.

The referenced passage of Jones is as follows:

"To limit the extent of penetration of the cylinders into the end caps 1 and 2 and sleeve 3, thereby to determine the spacing between the caps and the sleeve, the caps are chamfered as indicated at 8 and the sleeve is internally shouldered at 9." Col. 1, lines 58-62.

Notably, Jones does not discuss any variation of the position of the cylinders relative to the end caps nor relative to the sleeve. The only disclosure provided describes the cylinders as being wedged between the chamfers of the end caps and the shoulders of the sleeve. No other disposition or configuration is disclosed. Since the electrodes are fixed to the end caps, the mounting of the cylinders at the chamfers and at the shoulders results in a fixed disposition of the electrodes within the sleeve and a fixed, non-variable spacing therebetween. That is, no adjustability function is provided by Jones.

In the Office Action, the Examiner further states, "Applicant argues that the chamfered caps fixes the distance. This may be correct at the limit, but until that limit, there is adjustability since the device need not be employed at the limit." Office Action, page 4. Applicant notes first that the Examiner concedes that, at the "limit", the chamfered caps fix the distance between the corresponding electrodes. Next, Applicant notes that no citation is provided to support the Examiner's assertion that "there is adjustability since the device need not be employed at the limit." This is because no support is found in Jones for this proposition. Jones does not disclose *not* employing the spacing cylinders at the

shoulders of the sleeve on the one hand and at the chamfers of the end caps on the other. To the contrary, the Jones device is designed and specifically described as having the cylinders fixed at the shoulders and chamfers, as discussed. Particularly, Jones states that this configuration is required to set the distance of the end caps relative to the sleeve (and hence the distance of the electrodes relative to one another). See, discussion above. Further to this effect, Jones states:

“The cylinders 4 and 5 fit closely within the end caps 1 and 2 on the one hand and [closely] within the opposite ends of the sleeve 3 on the other hand...” Col. 1, lines 45-48.

and,

“At a position within the cylinder[,] *a shoulder d* of hexagonal or other polygonal cross-section *locates the electrode 10 centrally within the ceramic cylinder 4...*” Col. 2, lines 5-8. (Emphasis added.)

This latter quotation clearly enunciates the fixed nature of the electrodes within the sleeve as brought about by the shoulder-mounting of the cylinders.

Clearly, Jones does not disclose an adjustability of the cylinders relative to the end caps or sleeve and thus does not disclose adjustability of the distance between the electrodes within the sleeve. Therefore, necessarily Jones does not teach or suggest, “...lead terminals, with sealing spacers thereon, being adjustable within a cylindrical housing before being fixed airtightly thereto such that the distance between the discharge electrodes may be varied and set as desired”, as recited in Applicant’s claims 1 and 2.

Additionally, as set forth in previous submissions, Jones does not teach or suggest “a pair of lead terminals, each having a lead portion and a broadened tip forming a discharge electrode...[and] sealing spacers fitted and fixed on the lead portion of said lead terminal...”, as recited in claims 1 and 2. (Emphasis added.) Instead, Jones discloses electrodes 10, 11 fixed to end caps 1, 2, where the electrodes extend freely from the end

caps through spacing cylinders 4, 5 and into an interior of a metal sleeve 3. Col. 1, lines 62-66. The spacing cylinders of Jones are not “fitted and fixed” on the electrodes as required by Applicant’s claims 1 and 2.

Further, Jones does not disclose lead terminals with sealing spacers affixed thereon “inserted from open ends on both sides of said housing into an interior of said housing”, as also required by claims 1 and 2. Since the cylinders of Jones are not affixed on the electrodes, clearly the reference does not teach this limitation.

Accordingly, for at least these reasons, claims 1 and 2 are novel over Jones; reconsideration and withdrawal of the outstanding §102 rejection is respectfully requested.

Claims 5, 8, 9, 13, 15, 17, and 19 are also rejected under §102 in view of Jones. However, these claims variously depend from novel independent claims 1 and 2 and are thus correspondingly novel over Jones; reconsideration and withdrawal of the relevant novelty rejections is respectfully requested.

Claims 1 and 2 are further rejected under §102 as allegedly lacking novelty in view Japanese Patent No. 11154585 to Nobuya. Here again, the relied-upon reference does not teach or even suggest, “...lead terminals, with sealing spacers thereon, being adjustable within a cylindrical housing before being fixed airtightly thereto such that the distance between the discharge electrodes may be varied and set as desired”, as recited in Applicant’s claims 1 and 2. Accordingly, the novelty rejection is improper and may not be maintained.

Nobuya teaches a surge absorber having a lead wire 11 welded to a sealing electrode 12 with a glass bead 13 fitted there around to form a sealing body 15. See, Abstract. A surge absorbing element and two of the sealing bodies 15 are inserted into and fixed to a glass tube 14, as shown in the drawings, to form the surge absorber. Nobuya makes no disclosure concerning varying the position of the sealing body 15 within the tube 14 to vary and set the distance between the electrodes 12. To the contrary, the reference exclusively shows the sealing bodies aligned with the outer edges of the glass tube 14. No

further orientation thereof is shown or described. Applicant notes that in the Office Action, the Examiner does not cite where the above-quoted feature of claims 1 and 2 is found in Nobuya. This is because, as discussed immediately above, Nobuya does not teach or suggest this claim limitation.

Further, claims 1 and 2 recite, “a pair of lead terminals, each having a lead portion and a broadened tip forming a discharge electrode, at least one broadened tip having a projected or patterned surface”. This element is not found in Nobuya. Even if the sealing electrode 12 of Nobuya can be considered to be “a broadened tip”, as claimed, the electrode 12 does not include a projected or patterned surface as further required by the claim. Instead, the electrode 12 simply has a flat surface discharge surface with no projections or patterns.

Additionally, Nobuya describes a “surge absorbing element” inserted in the spark gap with the sealing body 15. See, Abstract. This element is understood to be a common discharge chip or the like. Applicant’s claims 1 and 2, however, require a surge absorber *without chips*.

For at least these reasons, Nobuya does not teach or even suggest all of the limitations of Applicant’s claims 1 and 2. Accordingly, these claims are novel over Nobuya; reconsideration and withdrawal of the outstanding §102 rejection is respectfully requested.

Claims 1 and 2 are further rejected under 35 U.S.C. §103(a) as being obvious in view of U.S. Patent No. 3,513,516 to Odo as combined with U.S. Patent No. 2,923,798 to Gerth. These references, taken singularly or in combination, fail to teach or suggest each and every limitation of claims 1 and 2. Therefore, the outstanding §103 rejections are improper and may not be maintained.

As discussed at length above, claims 1 and 2 both require, “...lead terminals, with sealing spacers thereon, being adjustable within a cylindrical housing before being fixed

airtightly thereto such that the distance between the discharge electrodes may be varied and set as desired". Neither the Odo nor Gerth references teach or suggest this limitation.

As conceded by the Examiner, Odo does not teach a pair of sealing spacers nor a pair of lead terminals adjustable within a cylindrical housing, as recited in Applicant's claims 1 and 2. Office Action, page 3. It is also noted that Odo does not disclose "a pair of lead terminals, each having a lead portion and a broadened tip forming a discharge electrode, at least one broadened tip having a projected or patterned surface", as required by claims 1 and 2. Instead, Odo simply teaches stems 9, 16 with non-projected, non-patterned electrode sections 10 fixed thereon. See, e.g., col. 2, lines 1-27.

Gerth does not remedy these deficiencies of Odo. Gerth teaches a glass-enclosed electrical switching device including a glass body having opposite end portions 2 and 3 which receive electrodes 7, 8. Col. 2, lines 18-50; Figures 1-2. The electrodes 7, 8 are sealed to flares which are, in turn, sealed to the end portions 2, 3 of the glass body 1. *Id.* Gerth specifically teaches sealing the electrode/flare assembly to the glass body in the positions shown in Figure 1. Col. 2, line 69 – col. 3, line 1. Gerth does not describe the electrode/flare assembly as being positionally adjustable within the glass body.

With reference to Figures 3-4, Gerth discloses another configuration of the switching device which consists of a glass envelope 12 with flare members sealed to either end of the envelope 12 and electrodes 13, 14 sealed to the flare members and extending into the envelope 12. Col. 3, lines 39-47. The flare/electrode assembly is sealed to the envelope as discussed with regard to Figures 1-2, i.e., it is sealed in the exact position shown in the drawings; no variation of this position is disclosed. *Id.* Gerth describes the device of Figures 3-4 as permitting "adjustment of parts in the final structure." *Id.* This adjustability is provided by utilizing flare portions comprised of thin, pliable disc portions 20, 21 to which the electrodes 13, 14 are mounted. Col. 3, line 48 through col. 4, line 2. After assembly of the switching device, a slight mechanical adjustment of the electrode is possible. *Id.* That is, a slight movement of the electrode 13, 14 will result in a corresponding deflection (bending or warping) of the thin, pliable disc portion. *Id.* Once

the position of the electrode is altered as desired, the disc portion is brazed or soldered to render it rigid thus permanently fixing the electrode in the new position. *Id.*

As mentioned, Applicant's claims 1 and 2 require, "...lead terminals, with sealing spacers thereon, being adjustable within a cylindrical housing before being fixed airtightly thereto such that the distance between the discharge electrodes may be varied and set as desired". This feature is not found in Gerth. Instead, the reference only teaches that the electrodes alone may be moved slightly via deformation of the flares after manufacture of the switching device. Moreover, Gerth does not teach or suggest a pair of lead terminals, each having a broadened tip, each tip having a projected or patterned surface, as recited in claims 1 and 2. Still further, Gerth discloses a glass enclosed switching device not a surge absorber without chips as recited in Applicant's claims.

For at least the reasons set forth above, Odo and Gerth do not teach or suggest each and every limitation of pending claims 1 and 2; thus *prima facie* obviousness is not established. Reconsideration and withdrawal of the relevant §103 rejections is respectfully requested.

Claims 1 and 2 are not further rejected or objected to and are thus believed to be allowable to Applicant.

Claims 3, 4, 6, 7, 10-12, 14, 16, 18, and 20 are further rejected under 35 U.S.C. §103(a) as being obvious in view of Jones as combined with one or more of Kozlowski, Hill, Lange, Zuk, and Harada. All of these claims variously depend from allowable independent claims 1 and 2 and are thus correspondingly allowable. Moreover, the claimed invention has been distinguished from these relied-upon references in Applicant's previous submissions which are now herein incorporated by reference. For at least these reasons, claims 3, 4, 6, 7, 10-12, 14, 16, 18, and 20 are non-obvious over the relied-upon references; reconsideration and withdrawal of the relevant §103 rejections are respectfully requested.

For at least the reasons set forth herein, claims 1-20 are now believed to be allowable to Applicant. Withdrawal of all outstanding rejections and prompt issuance of a Notice of Allowance are respectfully requested.

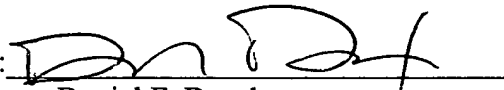
Applicant hereby petitions for any necessary extension of time in order to have this Reply entered and considered.

The Examiner is invited to contact Applicant's attorneys at the below-listed telephone number concerning the present Reply or otherwise regarding the instant application.

Please charge any fees due and credit any amounts to Deposit Account No. 06-1130 maintained by Applicant's attorneys.

Respectfully submitted,

CANTOR COLBURN LLP

By: 

Daniel F. Drexler
Registration No. 47,535
CANTOR COLBURN LLP
55 Griffin Road South
Bloomfield, CT 06002
Telephone: 860-286-2929
Facsimile: 860-286-0115
Customer No. 23413

Date: Apr. 14-2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No.
Applicant
Filed
Title
Grp. Art Unit
Examiner



09/527,410
BING LIN YANG
March 16, 2000
SURGE ABSORBER WITHOUT CHIPS
2832
Karl Easthom

PETITION FOR EXTENSION OF TIME


Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313

Sir:

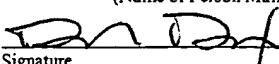
In accordance with the provisions of 37 CFR 1.136 and 1.17, Applicant hereby petitions for a three (3) month extension of time from January 14, 2005 to April 14, 2005 to file a Response to the Office Action dated October 14, 2004.

Please charge the required fee of \$510.00, and any additional charges which may be due with respect to this Extension of Time or otherwise, to Deposit Account No. 06-1130 maintained by Applicant's attorney.

Respectfully submitted,

By: 
Daniel F. Drexler
Registration No. 47,535
CANTOR COLBURN LLP
55 Griffin Road South
Bloomfield, CT 06002
Telephone: 860-286-2929
Customer No. 23413

Date:

I hereby certify that this correspondence is being deposited with The United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on	
April 14 - 2005	
(Date of Deposit)	
Daniel Drexler	
(Name of Person Mailing Paper)	
	4-14-05
Signature	Date



THE STAMP OF THE PATENT OFFICE, PLACED HEREON, ACKNOWLEDGES RECEIPT OF:

Attorney Docket No.: YK1-5034

Date Mailed: Apr. 14, 2005

Applicant: YANG

Serial No.: 09/527,410

Filed: Mar. 16, 2000

For: Surge Absorber without Chips

- | | |
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| <input type="checkbox"/> Affidavit or <input type="checkbox"/> Declaration | <input type="checkbox"/> Check for Filing Fee \$ |
| <input type="checkbox"/> Application for Patent including
<u> </u> pages spec., <u> </u> claims | <input checked="" type="checkbox"/> Amendment/Response To Office Action |
| <input type="checkbox"/> Declaration and Power of Attorney or <input type="checkbox"/> Oath | <input type="checkbox"/> Brief, <u> </u> copies |
| <input type="checkbox"/> Application for Intent-To-Use TM/SM | <input type="checkbox"/> Assignment, check for \$ <u> </u> |
| <input type="checkbox"/> Application for TM/SM Reg. w/specimens | <input type="checkbox"/> Assignment Recordation Cover Sheet |
| <input type="checkbox"/> Certificate of Express Mail 37 CFR 1.10
Express Mail No. <u> </u> | <input type="checkbox"/> Power of Attorney by Assignee |
| <input type="checkbox"/> Information Disclosure Statement | <input checked="" type="checkbox"/> Certificate of Mailing Under 37 CFR 1.8(a) |
| <input type="checkbox"/> PTO Form 1449, <input type="checkbox"/> publications enclosed | <input type="checkbox"/> Declaration Under Section 8 & 15 |
| <input type="checkbox"/> Power of Attorney | <input type="checkbox"/> Drawings: <u> </u> sheets
<input type="checkbox"/> Formal or <input type="checkbox"/> Informal |
| <input type="checkbox"/> Req. for Filing <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional
Application Under 37 CR 1.60 | <input type="checkbox"/> Issue Fee Transmittal |
| <input type="checkbox"/> Verified Statement to Establish Small Entity Status | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Request for Drawing Correction | <input checked="" type="checkbox"/> Petition for Extension of Time (<u>3</u>) months
<input type="checkbox"/> with check for \$ <u> </u> |
| <input type="checkbox"/> Transmittal Letter (in duplicate) | <input type="checkbox"/> Priority Document |
| <input type="checkbox"/> Other: <u> </u> | <input type="checkbox"/> Renewal Application TM/SM |

ATTACHMENT 2

In Support of Applicant's Petition to Withdrawal Holding of Abandonment
Under 37 C.F.R. §1.181



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No.	)	09/527,410
Applicant	)	BING LIN YANG
Filed	)	March 16, 2000
Title	)	SURGE ABSORBER WITHOUT CHIPS
Grp. Art Unit	)	2832
Examiner	)	Karl Easthom
Confm. No.	)	1559

STATEMENT PURSUANT TO 37 C.F.R. §1.8(b)(3)

I, Daniel Drexler, state that I timely submitted the "Reply to Non-Final Office Action Under 37 C.F.R. §1.111, With Amendment", "Petition for Extension of Time", and a return-addressed stamped itemized postcard for the above referenced application on April 14, 2005. I signed a certificate of mailing attesting to this fact, and deposited the Reply and related papers in the outgoing mail for the firm Cantor Colburn LLP, which I recorded on the mail log for that day.

Respectfully submitted,

CANTOR COLBURN LLP

By: 

Daniel Drexler
Registration No. 47,535
CANTOR COLBURN LLP
55 Griffin Road South
Bloomfield, CT 06002
Telephone (860) 286-2929
Facsimile (860) 286-0115
Customer No. 23413

Date: JULY 5-2005

ATTACHMENT 3

In Support of Applicant's Petition to Withdrawal Holding of Abandonment
Under 37 C.F.R. §1.181

4/14/05

B.I.E:

Priority	Address	Client	Case No	Comments	You	Postage
P	Goodwin	UCUNW	95-1111	MF letter	SD	37
P	Lepric	Intervent.	INE-0045-D	Patent	|	3.13
P	Cratty	Sunpower	98-1469	MF letter	|	37
P	Pizzap		96-1158	"	|	80
P	Carvey		95-1049	"	✓	37
P	Cody J		98-1386-D	"	✓	37
P	PTD	Yoshida	95-0034	Resp. to OA	DD	80

ATTACHMENT 4

In Support of Applicant's Petition to Withdrawal Holding of Abandonment
Under 37 C.F.R. §1.181



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No.	)	09/527,410
Applicant	)	BING LIN YANG
Filed	)	March 16, 2000
Title	)	SURGE ABSORBER WITHOUT CHIPS
Grp. Art Unit	)	2832
Examiner	)	Karl Easthom
Confm. No.	)	1559

STATEMENT OF SUBSTANCE OF INTERVIEW UNDER 37 C.F.R. §1.133

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with The United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on	
JULY 5-2005	
(Date of Deposit)	
Daniel Drexler	
(Name of Person Mailing Paper)	
Signature	Date
<i>[Signature]</i>	7-5-05

Dear Sir:

This Statement of Substance of Interview is submitted under 37 C.F.R. §1.133 in accordance with MPEP §713.04 in order to provide written documentation in the present application file concerning a series telephone interviews conducted May 26-31, 2005 between the Examiner and Applicant's undersigned attorney.

In an interview conducted 26 May 2005, the Examiner informed Applicant's attorney of the Office's non-receipt of Applicant's reply to the Office Action dated 14 October 2005. Applicant then immediately informed the Examiner that a proper and timely reply was indeed filed on 14 April 2005 along with a petition for extension of time, an itemized stamped return postcard, and the required certificates of mailing pursuant to 37

C.F.R. §1.8. The Examiner stated that Applicant's attorney could resolve the matter by transmitting to the Examiner the contents of the April 14th submission via facsimile.

In a subsequent telephone conversation conducted on or about 28 May 2005, the Examiner advised Applicant's attorney that a Notice of Abandonment was inadvertently issued by the Office and that the Examiner would revoke the Notice.

In a further subsequent telephone conversation conducted on or about 31 May 2005, the Examiner advised Applicant's attorney that since the Notice was issued (although inadvertently), a Petition to Withdrawal Holding of Abandonment would be required in order to remove the status of abandonment.

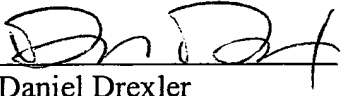
Applicant respectfully submits that this Statement satisfies the provisions of 37 C.F.R. §1.133 and MPEP §713.04.

The Office is invited to contact Applicant's attorney at the below-listed phone number regarding the present Statement or otherwise concerning the instant application.

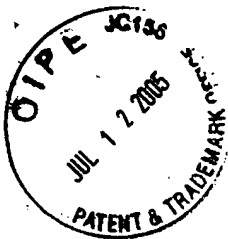
If there are any charges due with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130 maintained by Applicant's attorneys.

Respectfully submitted,

CANTOR COLBURN LLP

By: 
Daniel Drexler
Registration No. 47,535
CANTOR COLBURN LLP
55 Griffin Road South
Bloomfield, CT 06002
Telephone (860) 286-2929
Facsimile (860) 286-0115
Customer No. 23413

Date: JULY 05-2005



THE STAMP OF THE PATENT OFFICE, PLACED HEREON, ACKNOWLEDGES RECEIPT OF:

Attorney Docket No.: YKJ-0034 Date Mailed: JULY 05-2005

Applicant: YANG Filed: MAR. 16, 2000

Serial No.: 09/527,410
For: Swage Absorber without chips

<input type="checkbox"/> Affidavit or <input type="checkbox"/> Declaration	<input type="checkbox"/> Check for Filing Fee \$
<input type="checkbox"/> Application for Patent including	<input type="checkbox"/> Amendment/Response To Office Action
<input type="checkbox"/> pages spec., <input type="checkbox"/> claims	<input type="checkbox"/> Brief <input type="checkbox"/> copies
<input type="checkbox"/> Declaration and Power of Attorney or <input type="checkbox"/> Oath	<input type="checkbox"/> Assignment, check for \$
<input type="checkbox"/> Application for Intent-To-Use TM/SM	<input type="checkbox"/> Assignment Recordation Cover Sheet
<input type="checkbox"/> Application for TM/SM Reg. w/specimens	<input type="checkbox"/> Power of Attorney by Assignee
<input type="checkbox"/> Certificate of Express Mail 37 CFR 1.10	<input type="checkbox"/> Certificate of Mailing Under 37 CFR 1.8(a)
<input type="checkbox"/> Express Mail No. _____	<input type="checkbox"/> Declaration Under Section 8 & 15
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Drawings: _____ sheets
<input type="checkbox"/> PTO Form 1449, <input type="checkbox"/> publications enclosed	<input type="checkbox"/> <input type="checkbox"/> Formal or <input type="checkbox"/> Informal
<input type="checkbox"/> Power of Attorney	<input type="checkbox"/> Issue Fee Transmittal
<input type="checkbox"/> Req. for Filing <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional	<input type="checkbox"/> Notice of Appeal
<input type="checkbox"/> Application Under 37 CFR 1.60	<input type="checkbox"/> Petition for Extension of Time (____) months
<input type="checkbox"/> Verified Statement to Establish Small Entity Status	<input type="checkbox"/> <input type="checkbox"/> with check for \$
<input type="checkbox"/> Request for Drawing Correction	<input type="checkbox"/> Priority Document
<input type="checkbox"/> Transmittal Letter (in duplicate)	<input type="checkbox"/> Renewal Application TM/SM
<input checked="" type="checkbox"/> Other: <u>Statement of Substance of Invention</u>	